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Senate panel votes 9-8 to make it tougher to get convictions under spy disclosure law

Washington (AP)—The Senate Judiciary Committee voted 9-8 yesterday to require that anyone prosecuted for publicly disclosing the name of an American spy must have the intent to "impair or impede" U.S. intelligence operations.

The Republican majority on the panel appeared surprised by the vote in support of the proposal by Senator Joseph R. Biden, Jr. (Del.), the senior Democrat on the committee.

At issue are what prosecutorial standards should be applied under the Intelligence Identities Protection Act now moving through Congress.

Two weeks ago, the House approved a version under which a journalist or researcher could face jail terms of up to three years and a fine of \$15,000 if there was "reason to believe" that disclosure of a spy's identity would damage U.S. intelligence activities abroad.

That proposal has been strongly opposed by the Ameri-

can Civil Liberties Union and various newspaper and broadcast organizations who say it is open to abuse against reporters who write critical stories about American intelligence activities without intending to expose any particular American agent.

Senate sources said CIA Director William J. Casey lobbied heavily for the version of the legislation approved by the House.

But two Republicans—Arlen Specter (Pa.) and Charles McC Mathias, Jr. (Md.)—joined with seven Democrats to approve a version making it tougher for a federal prosecutor to bring a case against someone alleged to have identified or exposed a covert agent.

The committee also voted 11-7 to formalize existing CIA policy prohibiting the use of Peace Corps volunteers as CIA agents. Both amendments were part of an overall intelligence proposal which was approved 17-4.